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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SWEED,

Defendant.

CASE NO. 2:20-CR-00087-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: February 22, 2021

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 22, 2021.

2. By this stipulation, defendant now moves to continue the status conference until March 29, 2021 at 9:00 a.m., and to exclude time between February 22, 2021, and March 29, 2021 at 9:00 a.m., under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes multiple reports, several hundred photographs, and a recently-produced audio recording. This discovery has been produced directly to counsel.

b) Counsel for defendant desires additional time to discuss case resolution and trial

1 strategy with his client, conduct independent factual investigation and legal research into trial
2 and sentencing issues, and otherwise prepare for trial

3 c) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of February 22, 2021 to March 29,
12 2021 at 9:00 a.m., inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv)
13 [Local Code T4] because it results from a continuance granted by the Court at defendant's
14 request on the basis of the Court's finding that the ends of justice served by taking such action
15 outweigh the best interest of the public and the defendant in a speedy trial.

16 **[CONTINUED ON NEXT PAGE]**

1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

5
6 Dated: February 17, 2021

7 McGREGOR W. SCOTT
United States Attorney

8 _____
9 /s/ CAMERON L. DESMOND
CAMERON L. DESMOND
10 Assistant United States Attorney

11 Dated: February 17, 2021

12 _____
13 /s/ Mark Reichel
Mark Reichel
Counsel for Defendant
14 SCOTT SWEED

15
16 **FINDINGS AND ORDER**

17 IT IS SO FOUND AND ORDERED.

18 Dated: February 18, 2021

19 
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE